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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

ROOSEVELT OLIVER,

Plaintiff,

VS.

CITY OF BERKELEY, et al.,

Defendants.

Case No.: C05-1193 SI

STIPULATION AND ORDER FOR CONDITIONAL DISMISSAL IN 60 DAYS

THE PLAINTIFF, BY AND THROUGH HIS ATTORNEY OF RECORD, JAMES B. CHANIN, AND DEFENDANTS, BY AND THROUGH THEIR ATTORNEY OF RECORD, MATTHEW J. OREBIC,

DO HEREBY STIPULATE AND AGREE THAT this entire action shall be dismissed with prejudice in sixty (60) days from the date of entry of this stipulation, with each side is to bear their own costs and attorney's fees, unless any party hereto advises the Court that the parties have not finally and fully resolved the matter.

IT IS SO STIPULATED:

Dated: November 2, 2005

_____/S/_____
JAMES B. CHANIN
Attorney for Plaintiffs

Dated: November 2, 2005

_____/S/_____
MATTHEW J. OREBIC
Attorney for Defendants

IT IS SO ORDERED:

Dated: _____, 2005

SUSAN ILLSTON
JUDGE OF THE UNITED STATES
DISTRICT COURT

